



# FORMALITIES LETTER



## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/560,122	04/28/2000	Too Yew Teng	1961-00100

23505  
CONLEY ROSE & TAYON, P.C.  
600 TRAVIS, SUITE 1800  
HOUSTON, TX 77002

Date Mailed: 06/30/2000

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given ~~TWO MONTHS~~ from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/20/2000 SSESHE1 00000035 09560122

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130.00 0P

SECTOR  
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Please type a plus sign (+) inside this box [ + ]



PTO/SB/21 (12/97)

Approved for use through 09/30/00. OMB 0651-0031

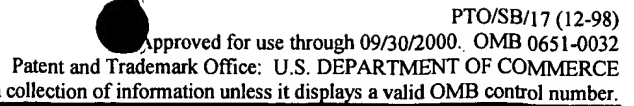
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/560,122
	Filing Date	April 28, 2000
	First Named Inventor	Too Yew TENG
	Group Art Unit	2753
	Examiner Name	Not Yet Assigned
Total Number of Pages in this Submission	111	
Attorney Docket Number		1961-00100

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Third Supplemental Information Disclosure Statement  <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR ' 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> To Convert a Provisional Application  <input type="checkbox"/> Power of Attorney Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): (1) Notice of Missing Parts.
<b>REMARKS:</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual Name	MICHAEL F. HEIM, Registration No. 32,702 CONLEY, ROSE & TAYON, P. C.	
Signature	<i>Michael F. Heim</i>	
Date	July 12 <sup>th</sup> , 2000	
CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: July 12, 2000		
Type or printed name	Bridgette Barry-Smith	
Signature	<i>Bridgette Barry-Smith</i>	Date: July 12, 2000

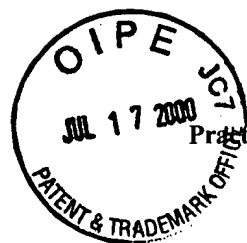


# FEE TRANSMITTAL

## FY 1999

Application Number	09/560,122
Filing Date	April 28, 2000
First Named Inventor	Too Yew Teng
Group Art Unit	2753
Examiner Name	Not Yet Assigned
Attorney Docket Number	1961-00100

Deposit Account User ID



Practitioner's Docket No. 1961-00100

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Too Yew TENG, et al.

Serial No.: 09/560,122

Group No.: 2753

Filed: April 28, 2000

Examiner:

For: Method and System for Detecting Cracks  
In Optical Discs

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS  
-NONPROVISIONAL APPLICATION

(check and complete this item, if applicable)

- I. ☒ This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed June 30, 2000.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

- ☒ A copy of the Notice to File Missing Parts of Application-Filing Date Granted (Form PTO-1533) is enclosed.

NOTE: The PTO requires that a copy of Form PTO-1533 be returned with the response to the notice to file missing parts to the application.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: July 12, 2000

Signature

Bridgette Barry-Smith  
(type or print name of person certifying)

**TRANSMITTAL OF ENGLISH TRANSLATION  
OF NON-ENGLISH LANGUAGE PAPERS**

- IV. ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

*NOTE: For fee processing a non-English application, complete item VI(5) below.*

*NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.69(b).*

**SMALL ENTITY STATUS**

- V. ☐ A statement that this filing is by a small entity
- (check and complete applicable items)*
- ☐ is attached.
- ☐ A separate refund request accompanies this paper.
- ☐ was filed on \_\_\_\_\_ (original).

**COMPLETION FEES**

**VI.**

**WARNING:** Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 CFR 1.53(d).

*NOTE: For effect on fees of failure to establish status, or change status, as a small entity, see 37 C.F.R. 1.28(a).*

1. Filing fee
  - ☐ original patent application  
(37 CFR 1.16(a), \$760.00; small entity, \$380.00) \$ \_\_\_\_\_
  - ☐ design application  
(37 CFR 1.16(f), \$310.00; small entity, \$155.00) \$ \_\_\_\_\_
2. Fees for claims
  - ☐ each independent claim in excess of 3  
(37 CFR 1.16(b), \$78.00; small entity, \$39.00) \$ \_\_\_\_\_
  - ☐ each claim in excess of 20  
(37 CFR 1.16(c), \$18.00; small entity, \$9.00) \$ \_\_\_\_\_
  - ☐ multiple dependent claim(s)  
(37 CFR 1.16(d), \$260.00; small entity, \$130.00) \$ \_\_\_\_\_

3. Surcharge fees

- ☐ late payment of filing fee  
and/or  
☒ late filing of original declaration or oath  
(37 CFR 1.16(e), \$130.00; small entity, \$65.00)

\$ 130.00

NOTE: Even where a facsimile declaration or oath signed by the inventor(s) was part of the originally filed papers, the surcharge fee is required.

NOTE: If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid. 37 CFR 1.16(e).

4. ☐ Petition and fee for filing by other than all the inventors or a person not the inventor  
(37 CFR 1.17(h) and 1.47, \$130.00)

\$ \_\_\_\_\_

5. ☐ Fee for processing an application filed with a specification in a non-English language  
(37 CFR 1.17(k) and 1.52(d), \$130.00)

\$ \_\_\_\_\_

6. ☐ Fee for processing and retention of application  
(37 CFR 1.21(l) and 1.53(d), \$130.00)

\$ \_\_\_\_\_

7. ☐ Assignment (See "ASSIGNMENT COVER SHEET".)

NOTE: 37 CFR 1.21(l) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 CFR 1.53(f) and this, as well as, the changes to 37 CFR 1.53 and 1.78 indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee or the processing retention fee of § 1.21(l) within one year of notification under § 1.53(f) must be paid.

Total completion fees: \$ 130.00

## EXTENSION OF TERM

### VII.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)(1)-4, for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$ \_\_\_\_\_

OR

(b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time.

### TOTAL FEE DUE

VIII. The total fee due is

Completion fee(s) \$ 130.00  
Extension fee (if any) \$ \_\_\_\_\_

Total Fee Due: \$ 130.00

### PAYMENT OF FEES

IX.

☒ Enclosed is a check in the amount of \$ 130.00

☐ Charge Account No. 03-2769 the sum of \$ \_\_\_\_\_  
A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

### AUTHORIZATION TO CHARGE ADDITIONAL FEES

X.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

☒ Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Deposit Account No. 03-2769.

☒ CFR 1.16(a), (f) or (g) (filing fees)  
☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims canceled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

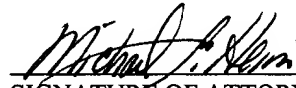
- ☒ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR §§ 1.17(a)(1)-(5) extension fees pursuant to § 1.136(a))
- ☒ 37 CFR 1.17 (application processing fees)

**NOTE:** "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 CFR § 1.136(a)(3).

- ☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b))

**NOTE:** Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR 1.311(b).

**NOTE:** 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application ... prior to paying, or at the time of paying ... issue fee." From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.



SIGNATURE OF ATTORNEY

Michael F. Heim

Reg. No. 32,702

CONLEY, ROSE & TAYON, P.C.

P. O. Box 3267

Houston, Texas 77253-3267

Phone: (713) 238-8000

Fax: (713) 238-8008